



COUNTY COUNCIL OF BEAUFORT COUNTY
Beaufort County Community Development

Beaufort County Robert Smalls Complex
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The regular monthly meeting of the Beaufort County Zoning Board of Appeals was held on Thursday, September 28, 2017, in the Council Chambers, Beaufort County Administration Building, at 100 Ribaut Road, Beaufort, South Carolina.

MEMBERS PRESENT

Mr. Thomas Gasparini, Chairman
Mr. Edgar Williams, Vice Chairman
Mr. John Chemsak
Mr. William Cecil Mitchell, III
Mr. Kevin Mack
Mr. Joseph Passiment
Mr. Chester Williams

MEMBERS ABSENT

None

STAFF PRESENT

Ms. Hillary Austin, Zoning Administrator
Mrs. Tamekia Judge, Zoning Analyst III
Mr. Anthony Criscitiello, Planning Director

VACANCY

None

CALL TO ORDER: Mr. Gasparini called the meeting to order at 5:09 p.m.

PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE: Mr. Gasparini led those assembled with the Pledge of Allegiance.

REVIEW OF AGENDA:

MOTION: Mr. E. Williams made a motion to adopt the agenda as written. Mr. C. Williams seconded the motion. The motion passed (FOR: Chemsak, Gasparini, Mack, Mitchell, Passiment, C. Williams and E. Williams).

REVIEW OF MINUTES:

MOTION: Mr. Passiment made a motion to adopt the June 22, 2017 meeting minutes as written. Mr. Mack seconded the motion. The motion passed (FOR: Chemsak, Gasparini, Mack, Mitchell, Passiment and C. Williams; ABSTAINED: E. Williams).

MOTION: Mr. E. Williams made a motion to adopt the August 24, 2017 meeting minutes as written. Mr. Passiment seconded the motion. The motion passed (FOR: Chemsak, Mitchell, Passiment and E. Williams; ABSTAINED: Gasparini, Mack and C. Williams).

For the record: Storage Rentals of America was not present at the meeting. The procedures grant the Board the right to act on or dispose of the application in their absence.

Mr. Criscitiello, Beaufort County Planning Director, stated the Applicant for Storage Rentals of America did not properly notify the surrounding property owners to our knowledge; therefore, they are not in compliance for the review of the application by the Zoning Board of Appeals members.

Mr. Gasparini stated the application for Storage Rentals of America shall be removed from the agenda and the Applicant will start over when they are ready for the application to be reviewed.

MOTION: Mr. E. Williams made a motion to amend the adoption of the agenda to remove the application. The Applicant will resubmit when they are ready for the application to be reviewed. Mr. Passiment seconded the motion. The motion passed (FOR: Chemsak, Gasparini, Mack, Mitchell, Passiment, C. Williams and E. Williams).

OLD BUSINESS

Mr. Criscitiello stated to the Board, "The Ernest Drive Mine issues have not been resolved yet because the Applicant did not come back to the Staff Review Team, per the instructions of the Zoning Board of Appeals. It is the prerogative of the Zoning Board of Appeals to set a deadline. If the Applicant failed to make the deadline, then the existing mine and all that has to take place in order to bring it into conformance for the Zoning Ordinance could be the necessary next step to set the deadline."

Mr. C. Williams asked Mr. Criscitiello, "Is there still mining operations occurring on the property?"

Mr. Criscitiello replied, "I don't know if they are or not. There was a lot of investigation done by the Storm Water Utilities department. We are waiting for them to appear before the SRT in order to clarify some of the issues that were expressed to the Board at the Public meeting."

C. Williams stated, "My recollection of the original permit that was approved was that it was valid for two years, and I think that two years is gone."

Ms. Hillary Austin, Zoning Administrator stated, "It was 2014 – 2016."

Mr. C. Williams stated, "I think they shouldn't be carrying on anymore operation on the property."

Mr. Gasparini asked Mr. Criscitiello, "Do they get the permit extended by the act of the South Carolina Legislation that extended building permits?"

Ms. Austin replied, "In their case, they used the original permit, so our permit said they only got to dig for two years because of the buffer issues. They started using it in 2014, so their two years are up; they don't get to dig for another two years."

Mr. Gasparini stated, "The County shall decide whether or not the permit is still valid, or if the permit is expired, since it hasn't received an amendment."

Mr. C. Williams stated, "There is a pending application before us and I move that if the Applicant isn't ready to present their case to the Board by next month, then the application should be dismissed by failure to prosecute."

Mr. E. Williams stated, "I believe they should be properly notified prior to disposing the case."

Mr. C. Williams made a motion for Staff to immediately notify the Applicant and inform them, that if they are not prepared to continue their application at the next meeting, the Board will dismiss it."

Mr. Mack stated that the notification should be certified. Mr. Mack seconded the motion.

MOTION: Mr. C. Williams made a motion that the Applicant for Ernest Drive Mine be notified, informing them that if they are not prepared to continue their application before the Zoning Board of Appeals on next month, the Board will dismiss it. Mr. Mack seconded the motion. The motion passed (FOR: Chemsak, Gasparini, Mack, Mitchell, Passiment, C. Williams and E. Williams).

Mr. Gasparini stated that the Applicant will be notified by certified mail and Staff will notify the neighbors to the extent that local people would be contacted about the status of the mine.

Mr. C. Williams stated, that Staff shall notify Mr. Tom Holloway, the one that filed the application.

Mr. C. Williams amended the motion to have the Applicant to appear before the SRT to resolve any outstanding issues prior to returning to the Zoning Board of Appeals, no later than 30 days from the date of receiving the certified notice.

Mr. Passiment seconded the amendment to the motion.

MOTION: Mr. C. Williams made an amendment to the motion that the Applicant for Ernest Drive Mine shall appear before the SRT to resolve any outstanding issues prior to returning to the Zoning Board of Appeals, no later than 30 days of receiving the certified notice informing them, and that if they are not prepared to continue their application at the next ZBOA meeting, the application will be dismissed. Mr. Passiment seconded the motion. The motion passed (FOR: Chemsak, Gasparini, Mack, Mitchell, Passiment, C. Williams and E. Williams).

NEW BUSINESS

MOTION: Mr. Passiment made a motion to adopt the 2018 meeting calendar. Mr. Chemsak seconded the motion. The motion passed (FOR: Chemsak, Gasparini, Mack, Mitchell, Passiment, C. Williams and E. Williams).

ADJOURNMENT

MOTION: There being no further business to come before the Board, Mr. E. Williams made a motion to adjourn. Mr. C. Williams seconded the motion. The motion passed (FOR: Chemsak, Mitchell, Passiment and E. Williams; ABSENT: Gasparini, Mack and C. Williams).

The meeting adjourned at approximately 5:27 p.m.